

1 4. and to allow the claims as amended..

2

3 **III. Status of Specification**

4 The Specification regarding the Brief Description of the Drawings, was amended
5 in the last response of June 3, 2004 to conform the Brief Description of the Drawings to
6 the substituted Drawings.

7 The Examiner states, at page 2 paragraph 3 that "...Also similarly because of the
8 numerous inconsistencies in reference numbers and parts of the drawings the drawings
9 are being held as new matter and are not acceptable because of this new matter."
10 Assuming that the Examiner accepts the substituted Drawings, your applicant respectfully
11 contends that the issue of "inconsistencies in reference numbers and parts of the
12 drawings" will be cured. Your applicant has reviewed the reference numbers in the
13 Specification and in the substituted Drawings Fig. 1, 1A, 1B and 2 and believes that they
14 demonstrate consistency. To demonstrate the belief that consistency exists between the
15 original Specification and the substituted Drawings your applicant respectfully invites the
16 Examiner to review Fig. 1, 1A, 1B and 2 relative to the Detailed Description at
17 Specification page 3/lines 6-16 as follows:

18 As seen in Fig 1, 1A, 1B and Fig 2, the fishing lure (1) invention of the
19 present application comprises an elongated primary shaft (10) having a first end
20 (20) and a second end (30). An elongated lure shaft (40) having a lure shaft first
21 end (50) and a lure shaft second end (60). The lure shaft second end (60) is
22 interconnected by shaft interconnection means to the primary shaft (10) proximal
23 the second end (30). A fish hook means (70) has a hook shaft (90) which is
24 secured by hook shaft affixing means (100) to the primary shaft (10) proximal the
25 second end (30). Lure shaft locking means (110) is positioned proximal the first
26

27 Certificate of facsimile filing, Application
28 No. 10/654,854 on January 20, 2005 by
Floyd E. Ivey in response to Office Action
of September 21, 2005.

6
Z:\Client\Inklings\Response\response.112.102.103.Darver.Response\OA050921.Response060120FINAL.wpd

1 end (20) to secure the lure shaft first end (50) when a lure or bait has been
2 skewered onto the lure shaft (40). Fishing leader affixing means (150), to receive
3 fishing leader, is positioned proximal the first end.(20) and is comprised, in the
4 preferred embodiment of an eye (155).

5
6 Your applicant respectfully urges the Examiner to find that the prior finding of
7 "numerous inconsistencies in reference numbers and parts of the drawings..." is cured
8 with the acceptance of the substituted Drawings and to withdraw this rejection, and to
9 allow the claims as amended.

10 Your applicant continues in its certification and belief that no new matter has been
11 added.

12
13 **IV. Status of Claims**

14 Claims 1-4 are pending. Claims 1-4 are rejected. Claim 5 has been cancelled.

15 **V. Response to Office Action of September 21, 2005.**

16 This case was appealed from the Office Action of August 6, 2004. The Examiner
17 has withdrawn the previous final office action of August 6, 2004 and has reopened
18 prosecution. The Examiner has stated that because of the applicant's amendments filed
19 6/3/04, a new final Rejection is made. Your applicant now responds to the Office Action
20 of September 21, 2005 with the intent of fully Responding to the Examiner's rejections
21 and objections. Your applicant's Response is with reference to the Brief Description of
22 the Drawings as amended in the Response of 6/3/04.

23
24
25
26
27 Certificate of facsimile filing, Application
28 No. 10/654,854, on January 20, 2005 by
Floyd E. Ivey in response to Office Action
of September 21, 2005.

7
Z:\PClient\Links\response\response.112.102.103\Ivey,Response\OA050921.Response060120FINAL.wpd